

House File 2207 - Introduced

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BY ABDUL-SAMAD

A BILL FOR

1 An Act granting immunity from prosecution to persons seeking
2 medical assistance in possession-of-a-controlled-substance
3 cases.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 124.401G Possession of a controlled
2 substance — immunity.

3 1. A person who, in good faith, seeks medical assistance
4 for another person experiencing a controlled substance
5 overdose shall not be charged or prosecuted for possession of a
6 controlled substance under section 124.401 if the evidence for
7 the charge of possession of a controlled substance was obtained
8 as a result of the person seeking medical assistance for the
9 other person.

10 2. A person experiencing a controlled substance overdose
11 who is in need of medical assistance shall not be charged
12 or prosecuted for possession of a controlled substance under
13 section 124.401 if the evidence for the charge of possession of
14 a controlled substance was obtained as a result of the overdose
15 and the need for medical assistance.

16 3. A person, acting in good faith, may receive a naloxone
17 prescription, possess naloxone, and administer naloxone to
18 another person suffering from an apparent opiate-related
19 overdose.

20 4. This section shall not be used as grounds for the
21 suppression of evidence in other criminal offenses.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 This bill grants immunity from prosecution to
26 certain persons seeking medical assistance in
27 possession-of-a-controlled-substance cases.

28 Under the bill, a person who, in good faith, seeks medical
29 assistance for another person experiencing a controlled
30 substance overdose shall not be charged or prosecuted for
31 possession of a controlled substance if the evidence for the
32 charge was obtained as a result of the person seeking medical
33 assistance for the other person.

34 The bill provides that a person experiencing an overdose
35 who is in need of medical assistance shall also not be charged

1 or prosecuted for possession of a controlled substance if
2 the evidence for the charge was obtained as a result of the
3 overdose and the need for medical assistance.

4 The bill specifies that a person, acting in good faith,
5 may receive a naloxone prescription, possess naloxone, and
6 administer naloxone to another person suffering from an
7 apparent opiate-related overdose.

8 The bill shall not be used as grounds for the suppression of
9 evidence in other criminal offenses.